

EXHIBIT 5

Merchant & Gould

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May 10, 2010

Michael Strapp
Goodwin Procter LLP
Exchange Place
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Via Email

Re: ePlus, Inc. v. Lawson Software, Inc.
Case No.: 2:09-232
M&G No.: 16391.0001USZA

Dear Michael:

Section IV(4) of the Pretrial Schedule A to the Court's March 15, 2010, Scheduling Order provides "only one expert per discipline is permitted, except by order of the Court." The expert reports of Alfred Weaver and Patrick Niemeyer relate to the same discipline, namely infringement. Both of those witnesses opine on the functionality of Lawson's system. Indeed, Dr. Weaver's report cross-references Mr. Niemeyer's report on multiple occasions, including:

- Dr. Weaver cited Mr. Niemeyer's report in Paragraph 25 of his report as material reviewed. Dr. Weaver does not rely on any other expert.
- Dr. Weaver opined on the Item Master in Paragraph 169 of his Report, a topic to which Mr. Niemeyer opined and provided a discussion. Dr. Weaver cited to Mr. Niemeyer's report as support for his contention at the category entitled "Keyword Search."
- Dr. Weaver discussed the UNSPSC codes and data related to ePlus's contentions related to category hierarchies, which was also discussed in Mr. Niemeyer's report at the Section entitled "Category Search Functionality."

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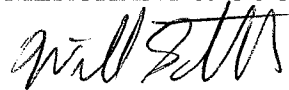
Moreover, each of the categories covered in Mr. Niemeyer's report are covered in Dr. Weaver's report. The following chart shows the cross-over in topic areas referenced in each report:

Patrick Niemeyer Topics	Alfred Weaver Topics
The S3 Supply Chain Management Suite (p. 6)	Overview of Accused Systems, specifically Paragraphs 43-62
General Software Architecture (p. 10.)	Overview of Accused Systems, specifically Paragraphs 43-62
RSS Components (p. 11)	Overview of Accused Systems, specifically, Paragraphs 53-55
Category Search Functionality (p. 12)	The Accused Lawson Systems Include Multiple Product Catalogs or Data Relating to Items Associated with Multiple Vendors, specifically Paragraphs 174-188
Keyword Search (p. 17)	Lawson's Keyword Search Index, specifically Paragraphs 155-171
Requisition Creation (p. 23)	Referenced throughout report – including for example in the Overview of Accused Systems, including Paragraphs 49-50, 54
Purchase Order Generation (p. 25)	Referenced throughout report – including for example in the Overview of Accused Systems, including Paragraphs 44-45, 50-52)
Lawson Procurement Punchout (p. 28)	Referenced throughout report – including for example in the Overview of Accused Systems, including Paragraph 55)
Operations of the M3 System (p. 30)	Overview of Accused Systems, specifically at Paragraphs 57-60

The Court's Order does not permit ePlus to rely on two experts in the same field of discipline. We request that you withdraw either the Niemeyer Report or the Weaver Report. Please confirm which report you will withdraw by Monday, May 10, 2010. If you do not agree to withdraw one of the reports, please provide to us a time on Tuesday, May 11, 2010, to meet and confer on this topic.

Sincerely,

MERCHANT & GOULD P.C.



William D. Schultz